



Office of the City Clerk

To: Mayor Welch, City of Milton Common Council
From: Leanne Schroeder, City Clerk
Date: January 7, 2020
Subject: Discussion and Possible Action on Primary for Election of City Alderpersons

Summary

As of today, Tuesday, January 7th, I have received declarations of candidacy, campaign finance registration statements, and nomination papers from Ald. Lynda Clark and Ald. Ryan Holbrook. Their paperwork was completed as required and I can confirm that they will be on the ballot for the April 7, 2020 election.

Yesterday, Ald. Jerry Elsen submitted a Notification of Non-Candidacy indicating he would not be running for re-election on April 7, 2020. Because Ald. Elsen filed the Notification of Non-Candidacy after the December 27, 2019 deadline, the nomination paper deadline for his alderperson seat has been extended 72 hours. This means the deadline for candidates to file declarations of candidacy, campaign finance registration statements, and nomination papers for the April 7, 2020 election is 5:00 p.m. this Friday, January 10, 2020. City Hall will be open and I will be available until 5:00 p.m. on Friday, January 10.

The new nomination paper deadline affects the deadline for a governing body to decide upon a primary (which is the third day following the deadline for nomination papers). I contacted the Wisconsin Elections Commission to confirm this deadline, and the commission's legal counsel, Michael Haas, pointed out that although the statute requires the Council to make a decision no later than three days after the filing deadline, the Council does not have to wait until the filing deadline to make that decision. Considering this information and the very tight deadlines, I decided to amend tonight's Common Council agenda to include an item for discussion and possible action on a primary for election of city alderpersons. As the Council discusses this item, there are a few things to keep in mind:

- As of today, there are not enough candidates to require a primary. Any action the council takes would only apply if five or more additional candidates file the required paperwork by 5:00 p.m. on Friday, January 10.
- The city does not have a policy or ordinance to direct the Common Council on deciding upon a primary. Currently, the Common Council calls a special meeting and decides upon a primary when the situation presents itself.

After discussion, the Council could decide upon any of the options listed below:

- Make a motion to have a primary if, after the nomination paper deadline has passed, there are more than two candidates per seat.



- Make a motion to not have a primary, regardless of how many candidates file nomination papers.
- Make a motion to schedule a special meeting on Monday, January 13th to discuss the possibility of a primary if, after the nomination paper deadline has passed, there are more than two candidates per seat.
- Take no action.

Staff Recommendation

I do not have a recommendation. This item was added to the agenda to give the Council the opportunity to discuss this agenda item at a regular meeting rather than a special meeting under time constraints.